

Appn. Number    09/641,410 (Kiely)    GAU 1761    Amendment B, contd.    2

1 - 198 (canceled)

I claim:

199. (New): A candy supported frozen comestible comprising:

- (a) a frozen comestible, and
- (b) a candy support comprising two discernable ingredients, said candy support comprises a first portion having sufficient surface area and adherence to said frozen comestible to dependably support said frozen comestible, said candy support comprises a second portion having sufficient surface area for providing a utilitarian support for consumption, display, or containment of said frozen comestible, said two discernable ingredients each being other than an edible coating.

200. (New): The candy supported frozen comestible of claim 199 wherein one of said two discernable ingredients comprises candy, wherein said candy comprises a selection from the group comprising chewy candy, soft candy, hard candy, dissolved sugar, granulated sugar, sucrose, crystallized sugar, candy bar sweeteners, fruit sugar, or dextrose.

201. (New): The candy supported frozen comestible of

Appn. Number    09/641,410 (Kiely)    GAU 1761    Amendment B, contd.    3

claim 200 wherein the other of said two discernable ingredients comprises a selection from the group consisting essentially of candy, nuts, cereal, grain including rice or crisped rice, crushed candy, pieces of candy including mini size pieces of individually coated or non coated candies, fudge, peanut butter, mint, chewing gum, ice cream, filling, cheese, nougat, yogurt, gelatin, fruit including coconut, fruit puree, and dried fruit puree, discernable air bubbles, and particle pieces thereof.

202. (New): The candy supported frozen comestible of claim 199, wherein said two discernable ingredients are comprised in said first portion of said candy support, said second portion of said candy support, or a combination thereof, wherein said two discernable ingredients comprise two discernable colors.

203. (New): The candy supported frozen comestible of claim 199, further including a plurality of discernable ingredients in addition to said two discernable ingredients of said candy support, wherein said plurality of discernable ingredients

Appn. Number    09/641,410 (Kiely)    GAU 1761    Amendment B, contd.    4

are comprised in said first portion of said candy support, said second portion of said candy support, or combinations thereof.

204. (New) The candy supported frozen comestible of claim 199, wherein said utilitarian support comprises a selection from the group comprising, a spoon shaped support, a cored support, a barrel shaped support, a sandwiching support, a two handled support for a user's two hands, a twin support for sharing, a horizontally orientated support, a vertically orientated support, a free form support, a stabilizing support, a cone, a free-standing support, and a suitably shaped stick-like or internally anchoring support comprising a first portion having sufficient surface area and adherence within said frozen comestible to support said comestible, said stick-like or internally anchoring support comprises a second portion having sufficient surface area outside said frozen comestible to provide a handle or utilitarian support for said frozen comestible.

205. (New): The candy supported frozen comestible of claim 199, further comprising a discernable

Appn. Number      09/641,410 (Kiely)      GAU 1761      Amendment B, contd.      5

composite member in addition to said two discernable ingredients of said candy support, wherein said composite member comprises a selection of the group comprising a lollipop, a mess guard, and a drip guard, wherein said composite candy support comprises means for providing a specialized or whimsical supported frozen comestible including a whimsical edible appendage for a whimsical character, including whimsical hair stemming from said edible support, or an edible Maypole, said composite candy support further comprises a plurality of composite members, wherein said composite candy support comprises a composite first portion, a composite second portion or a combination thereof, wherein said composite member comprises an edible or inedible member.

206. (New): The candy supported frozen comestible of claim 199, further including means for inhibiting the breakage of said candy support comprising a) manufacturing said candy support with ingredients that sustain more stress against breakage, including providing a chewy candy ingredient with a whipped nougat ingredient, b) providing ingredients running in a plurality of directions or a

Appn. Number      09/641,410 (Kiely)      GAU 1761      Amendment B, contd.      6

combination of directions for inhibiting the horizontal breaking of said candy support, c) using specific combinations and multiple layers of ingredients for making said support stronger, d) providing a plurality of differing ingredients running concentrically, parallel, twisted, or maneuvered within said candy support, e) monitoring the amounts of moisture, shortening, sugar, air, and air bubbles in said candy support, f) providing a suitable size and shape to said candy support for supporting said frozen comestible, g) providing a mess guard for strengthening and preventing damage to said candy support, including wrapping said mess guard around said edible support or placing said mess guard on all sides of said edible support, h) an edible moisture barrier on said edible support for preventing the transfer of moisture from said frozen comestible to said edible support and for providing a longer shelf life in a store, i) an edible glue or sealant for affixing said two discernable ingredients within said edible support for a stronger and more flavorful support, and j) providing protective packaging, shipping and handling for ensuring intact products.

Appn. Number    09/641,410 (Kiely)    GAU 1761    Amendment B, contd.    7

207. (New): The candy supported frozen comestible of claim 199 wherein said candy support comprises a whipped candy support comprising said two discernable ingredients, wherein said whipped candy support comprises candy or nougat and a plurality of discernable air bubbles.

208. (New): A candy supported frozen comestible comprising:

- (a) a frozen comestible, and
- (b) a candy support comprising two discernable ingredients wherein one of said two discernable ingredients comprises candy, wherein the other of said two discernable ingredients comprises a selection from the group consisting essentially of candy, nuts, rice or grain, fruit including coconut, fruit puree and dried fruit puree, crushed candy, pieces of candy including mini size pieces of individually coated or non coated candies, peanut butter, fudge, mint, chewing gum, ice cream, filling, nougat, yogurt, cheese, gelatin and discernable air bubbles, said candy support comprises a first portion having sufficient surface area and adherence to said frozen comestible to dependably support said frozen comestible, said candy support comprises a second portion having sufficient surface area for providing a utilitarian support for

Appn. Number      09/641,410 (Kiely)      GAU 1761      Amendment B, contd.      8

consumption, display, or containment of said frozen comestible, said two discernable ingredients each being other than an edible coating.

209. (New): The candy supported frozen comestible of claim 208 wherein said candy comprises a selection of the group comprising chewy candy, soft candy, hard candy, dissolved sugar, granulated sugar, sucrose, crystallized sugar, candy bar sweetening ingredient, fruit sugar, or dextrose.

210. (New): The candy supported frozen comestible of claim 208, further including a plurality of discernable ingredients in addition to said two discernable ingredients of said candy support for providing a stronger and more flavorful support.

211. (New): The candy supported frozen comestible of claim 208, further including means for inhibiting the breakage of said candy support comprising a) manufacturing said candy support with ingredients that sustain more stress against breakage, including providing a chewy candy ingredient with a whipped nougat ingredient, b) providing ingredients running in a plurality of directions or a

Appn. Number      09/641,410 (Kiely)      GAU 1761      Amendment B, contd.      9

combination of directions for inhibiting the horizontal breaking of said candy support, c) using specific combinations and multiple layers of ingredients for making said support stronger, d) providing a plurality of differing ingredients running concentrically, parallel, twisted, or maneuvered within said candy support, e) monitoring the amounts of moisture, shortening, sugar, air, and air bubbles in said candy support, f) providing a suitable size and shape to said candy support for supporting said frozen comestible, g) providing a mess guard for strengthening and preventing damage to said candy support, including wrapping said mess guard around said edible support or placing said mess guard on all sides of said edible support, h) an edible moisture barrier on said edible support for preventing the transfer of moisture from said frozen comestible to said edible support and for providing a longer shelf life in a store, i) an edible glue or sealant for affixing said two discernable ingredients for a stronger and more flavorful support, and j) providing protective packaging, shipping and handling for ensuring intact products.



Appn. Number      09/641,410 (Kiely)      GAU 1761      Amendment B, contd.      10

212. (New): The candy supported frozen comestible of claim 208, further comprising a discernable composite member in addition to said two discernable ingredients of said candy support for providing a stronger, more entertaining, or more flavorful support, wherein said composite candy support comprises a selection from the group comprising a lollipop, a mess guard and a drip guard, wherein said composite candy support comprises means for providing a specialized or whimsical supported frozen comestible including a whimsical edible appendage for a whimsical character, including whimsical hair stemming from said edible support, or an edible Maypole, said composite candy support further comprises a plurality of composite members, wherein said composite candy support comprises a composite first portion, a composite second portion or combinations thereof, wherein said composite member comprises an edible or inedible member.

213. (New): The candy supported frozen comestible of claim 208, wherein said utilitarian support comprises a selection from the group comprising, a spoon shaped support, a cored support, a barrel

Appn. Number      09/641,410 (Kiely)      GAU 1761      Amendment B, contd.      11

shaped support, a sandwiching support, a two handled support for a user's two hands, a twin support for sharing, a horizontally orientated support, a vertically orientated support, a free form support, a stabilizing support, a cone, a free-standing support, and a suitably shaped stick-like or internally anchoring support comprising a first portion having sufficient surface area and adherence within said frozen comestible to support said comestible, said stick-like or internally supporting support comprises a second portion having sufficient surface area outside said frozen comestible to provide a handle or utilitarian support for said frozen comestible.

214. (New): A candy supported frozen comestible comprising:

- (a) a frozen comestible,
- (b) a candy support comprising two discernable ingredients each being other than an edible coating, and
- (c) means for providing a utilitarian support for consumption, display or containment of said frozen comestible.

215. (New): The candy supported frozen comestible of claim 214, wherein said candy support comprises a

Appn. Number      09/641,410 (Kiely)      GAU 1761      Amendment B, contd.      12

first portion having sufficient surface area and means for adherence to said frozen comestible to dependably support said frozen comestible, said candy support comprises a second portion having sufficient surface area for providing said utilitarian support for said frozen comestible, wherein said two discernable ingredients are comprised in said first portion, said second portion, or a combination thereof, wherein said two discernable ingredients comprise two discernable colors.

216. (New): The candy supported frozen comestible of claim 214, wherein said utilitarian support comprises a selection from the group comprising, a spoon shaped support, a cored support, a barrel shaped support, a sandwiching support, a two handled support, a twin support for sharing, a horizontally orientated support, a vertically orientated support, a free form support, a stabilizing support, a cone, a free-standing support, and a suitably shaped stick-like or internally anchoring support comprising a first portion having sufficient surface area and adherence within said frozen comestible to support

Appn. Number      09/641,410 (Kiely)      GAU 1761      Amendment B, contd.      13

said comestible, said stick-like or internally anchoring support comprises a second portion having sufficient surface area outside said frozen comestible to provide a handle or utilitarian support for said frozen comestible

217. (New): The candy supported frozen comestible of claim 214, further including a plurality of discernable ingredients in addition to said two discernable ingredients of said candy support for providing a stronger and more flavorful support, wherein said plurality of discernable ingredients are comprised in a first portion of said edible support, a second portion of said edible support or combinations thereof.

218. (New): The candy supported frozen comestible of claim 214, further comprising a discernable composite member in addition to said two discernable ingredients of said candy support, wherein said composite member comprises a selection of the group comprising a lollipop, a mess guard, and a drip guard, wherein said composite candy support comprises means for providing a specialized or whimsical supported frozen comestible including

Appn. Number      09/641,410 (Kiely)      GAU 1761      Amendment B, contd.      14

a whimsical edible appendage for a whimsical character, whimsical hair stemming from said edible support, or an edible Maypole, said composite candy support further comprises a plurality of composite members, wherein said composite candy support comprises a composite first portion, a composite second portion or a combination thereof, wherein said composite member comprises an edible or inedible member.

219. (New): The candy supported frozen comestible of claim 214 wherein one of said two discernable ingredients comprises candy, wherein said candy comprises a selection of the group comprising chewy candy, soft candy, hard candy, dissolved sugar, granulated sugar, sucrose, crystallized sugar, candy bar sweeteners, fruit sugar, or dextrose.

220. (New): A candy supported frozen comestible comprising:

- (a) a frozen comestible, and
- (b) a suitably shaped candy support comprising two discernable candy or candy bar ingredients for dependably supporting said frozen comestible, said candy support comprises a first portion comprising sufficient surface area and adherence to said frozen comestible to

Appn. Number      09/641,410 (Kiely)      GAU 1761      Amendment B, contd.      15

dependably support said frozen comestible, said candy support comprises a second portion comprising sufficient surface area for providing a utilitarian support for said frozen comestible, said two candy or candy bar ingredients each being substantially other than a baked ingredient, said two discernable ingredients each being other than an edible coating.

221. (New): The candy supported frozen comestible of claim 220 wherein said two discernable ingredients are comprised in said first portion of said candy support, said second portion of said candy support, or a combination thereof, wherein said two discernable ingredients comprise two discernable colors.

222. (New): The candy supported frozen comestible of claim 220, further including a plurality of discernable ingredients in addition to said two discernable ingredients of said candy support for providing a stronger and more flavorful candy support, wherein said plurality of discernable ingredients are comprised in a first portion of said candy support, a second portion of said candy support, or a combination thereof.

Appn. Number      09/641,410 (Kiely)      GAU 1761      Amendment B, contd.      16

223. (New): The candy supported frozen comestible of claim 220, wherein said utilitarian support comprises a selection from the group comprising, a spoon shaped support, a cored support, a barrel shaped support, a sandwiching support, a two handled support for a user's two hands, a twin support for sharing, a horizontally orientated support, a vertically orientated support, a free form support, a stabilizing support, a cone, a free-standing support, and a suitably shaped stick-like or internally anchoring support comprising a first portion having sufficient surface area and adherence within said frozen comestible to support said frozen comestible, said stick-like or internally anchoring support comprises a second portion having sufficient surface area outside said frozen comestible to provide a handle or utilitarian support for said frozen comestible.

224. (New): A suitably shaped candy for the support of a frozen comestible comprising two discernable candy or candy bar ingredients, said candy support comprises a first portion having sufficient surface area for adherence to said frozen comestible to dependably support said frozen comestible, said candy support comprises a second portion comprising

Appn. Number      09/641,410 (Kiely)      GAU 1761      Amendment B, contd.      17

sufficient surface area for providing a utilitarian support for consumption, display, or containment of said frozen comestible, said two discernable ingredients each being other than an edible coating, wherein said two discernable ingredients are comprised in said first portion of said edible support, said second portion of said edible support, or a combination thereof.

225. (New): The suitably shaped candy for the support of a frozen comestible of claim 224, further including a plurality of discernable ingredients in addition to said two discernable ingredients of said candy support for providing a stronger and more flavorful support, wherein said plurality of discernable ingredients are comprised in said first portion of said candy support, said second portion of said candy support, or a combination thereof.

226. (New): The suitably shaped candy for the support of a frozen comestible of claim 224, wherein said utilitarian support comprises a selection from the group comprising, a spoon shaped support, a cored support, a barrel shaped support, a sandwiching support, a two handled support for a user's two hands, a twin support for sharing, a horizontally